

REMARKS

Claims 1 to 64 are pending in the application.

Claims 65 to 76 were canceled.

Claims 1, 28, 42 are currently amended in the application.

It should be mentioned that the Examiner stated in the office action that claims 1-75 are pending in the application. The applicant believes that claims 1-76 are pending claims in the application, as disclosed in the original patent application. The applicant considers the Examiner statement regarding claims 1-75 as an outcome of a technical mistake and therefore deals with 76 pending claims as disclosed in the original patent application. If the Examiner believes that the applicant mistakenly considers 76 pending claims, he is respectfully asked to clarify the reasons for the change in the next office action.

The Applicant has carefully studied the outstanding Official Action. The present response is intended to be fully responsive to all points of rejection raised by the Examiner and is believed to place the application in condition for allowance. Favorable reconsideration and allowance of the application is respectfully requested.

Claim Rejections – 35 USC 102

Claims 1-3, 5-23, 27-45, and 64-75 were rejected under 35 USC § 102(e) as being anticipated in the view of Meuiner *et al*, US Pat. No 6,820,815 (hereinafter: "Meuiner"). Favorable reconsideration of this rejection is respectfully requested since, as will be shown below, Meuiner does not teach the invention as claimed in presently amended independent claim 1, 28 and 42.

The Applicant respectfully submits that the encoded sheet material shown and described by Meuiner *et al*, particularly the paragraphs cited by the Examiner, specifically teaches "*A system for managing an encoded sheet of material, comprising*

,inter alia, code reader device and the sheet processing apparatus for associating the information with the read code.”.

In the report, the Examiner argues that Meuiner discloses *"a system that the identification marking includes the rim identifier and a sheet identifier identifying individual sheets"* and that *"accordingly the sheets having different rim identifier would be distinguished"*.

Indeed, in Meuiner, each sheet is uniquely marked in a manner that allows the reader device to distinguish between each sheet (Column 6, line 66; Column 7, line 1-9) and to determine accordingly the presence or the absence of a specific sheet in a ream of pages. However, Meuiner does not utilize the system with the ability to determine if the predetermined sets that comprise the stack are complete or lacks at least of the set's items. Contradictory to Meuiner, the present invention is specifically designed to validate whether a specific probed stack comprises only complete predetermined sets, according to the marking of stack's items.

That is to say, the present invention "validation device" probing item's "unique identifier" in order to determine if at least one *"complete predetermined set"* is in a given stack, unlike Meuiner's "code reader", that uses item's "unique identifier" to identify specific sheets in a ream(Page 3, lines 5-20).

In the light of the Examiner's remarks and according to the aforementioned differences between Meuiner's invention and the present invention, the applicant has amended independent claims 1, 28 and 42, emphasizing the distinctiveness of the present invention in the light of the prior art. The amended claim 1 of the present invention discloses *"A method of validating stacked substantially flat items having edges in relation*

to at least one predetermined set of items" comprising a step of "using said information for determining whether said stack comprises a complete one of predetermined sets, thereby to validate said stack". Amended Claim 28 of the present invention now discloses "A set of items ... markings corresponding within said set so that items can be identified as belonging or not belonging to said set, indicating the completeness or the incompleteness of said set of items". Amended Claim 42 of the present invention now discloses an apparatus comprises "a computing unit being usable for validating whether said stack comprises all the items of a complete one of respective predetermined sets"

The basis for the aforementioned changes is intertwined within the present description (Page 1, line 10; Page 12, line 30; Page 15, line 12 etc.).

Furthermore, independent claims 1, 28 and 42 are believed to be inventive and not obvious. As depicted above, Meuiner's fails to teach a "system with the ability to determine if a stack of sheets comprises only complete predetermined sets".

The present invention provides a method and an apparatus for image based validation of sets in a stack (page 1). For example, to provide a method or system operative for performing an analysis whether a stack of cards comprised from only complete decks of cards. In order to provide such an objective, the present invention's architecture was designed with the ability to identify the origin deck of marked items in a probed stack, enabling a designated device with the ability to determine whether the probed stack comprises only from full sets of card decks.

Contrary to the present invention, Meuiner's objective is to provide a system for managing an encoded sheet of material with a unique edge identifier (page 1; column 3,

line 5). Meuiner's architecture was adjusted to provide a useful feature for tracking and monitoring physical copies of an electric file (Column 3, line 15-20). Meuiner's code reader was adjusted to function as a sheet detector. These adjustments were made in order to overcome prior art disabilities such as the inability to quickly identify a single requested sheet, and the inability to associate between sheets and a computer records. Clearly, Meuiner's architecture and function were adjusted to serve Meuiner's objectives and therefore differ from the present invention architecture and function since they have entirely different objectives to satisfy.

Accordingly, Meuiner does not enable or even direct a skilled person to perform or even to try to perform validation process in order to determine whether a probed stack comprises a complete predetermined set.

In order to establish a *prima facie* case of obviousness, the prior art reference when must teach or suggest all the amended claims limitations (*In re Vaeck*, 947 F.2d 488, 20 USPQ2d 1438 (Fed. Cir. 1991)). The prior-art reference, as elaborated above, does not teach or suggest the aforementioned validation process explained above, but only teaches "uniquely identifying the sheet of material". There is no explicit or implicit validation of sets as clearly disclosed in the present claim. Therefore, no *prima facie* case of obviousness is established regarding amended claim 1, 28 and 42 limitations.

The independent claims are thus believed to be novel and inventive for the reasons outlined above. The dependent claims are believed to be allowable as being dependent on allowable main claims.

Rejections under 35 USC 103(a)

Claim 4 and 46 are rejected under U.S.C. 103(a) as being unpatentable over Meuiner *et al* (hereinafter: Meuiner) U.S. Patent 6,266,652.

It is believed that the dependent claims 4 and 46 currently under consideration are now allowable as being dependent upon an allowable main claim. It is believed that the rejection under 35 USC § 103(a) is overcome for the reasons outlined above regarding claim 1 and claim 42, namely that to validate whether a stack comprises a complete predetermined set using image processing over image of item's edges and edge's markings is not obvious to incorporate.

All of the issues raised by the Examiner have been dealt with. In view of the foregoing, it is submitted that all the claims now pending in the application are allowable over the cited reference. An early Notice of Allowance is therefore respectfully requested.

Respectfully submitted,



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In the Drawings:

Seven sheets of formal drawings are attached herewith under separate cover to overcome the objection by the Examiner. Please note that these formal drawings were previously filed on June 8, 2004. In any event, we have attached a copy of them herewith for your convenience.